

Filed for Record
8/18/2017 2:56 PM
Rhonda Barchak, District Clerk
Brazoria County, Texas
93096-CV
Almee Howell, Deputy

CAUSE NO. 93096-CV

DAVID BARLOW,	§	IN THE DISTRICT COURT OF
	§	
PLAINTIFF,	§	
	§	
v.	§	BRAZORIA COUNTY, TEXAS
	§	
THE TRAVELERS COMPANIES, INC.,	§	
	§	
DEFENDANT.	§	_____ JUDICIAL DISTRICT

PLAINTIFF'S ORIGINAL PETITION AND FIRST SET OF DISCOVERY

TO THE HONORABLE JUDGE OF THE COURT:

COMES NOW, David Barlow, Plaintiff in the above-styled and numbered cause, complaining of The Travelers Indemnity Company (hereinafter "Travelers") and for cause would respectfully show the Court as follows:

**I.
NATURE OF ACTION**

1. Plaintiff seeks a declaratory ruling of the parties' rights under contract pursuant to TEX. CIV. PRAC. & REM. CODE ANN. § 37.004(a).

**II.
DISCOVERY LEVEL**

2. Pursuant to TEX. R. CIV. P. 190.1, discovery is intended under Level Three.

**III.
JURISDICTION AND VENUE**

3. This Court has jurisdiction because all or substantially all of the events giving rise to the claim occurred in Brazoria County and the amount in controversy is within the jurisdictional limits of this Court. Further, the Court has jurisdiction over Defendant because Defendant's workers' compensation insurance coverage activities were purposely directed to the State of Texas and Defendant's contacts with Texas and this county are purposeful, continuous,



and systematic. Furthermore, the nature of the action unambiguously arises under Texas workers' compensation law and is therefore unremovable under 28 U.S.C. § 1445(c).

4. Venue is proper in Brazoria County per TEX. CIV. PRAC. & REM. CODE § 15.002, as it is the county in which all of a substantial part of the events or omissions giving rise to the claim occurred.

IV. STATEMENT REGARDING DAMAGES

5. Pursuant to TEX. R. CIV. P. 47(c), Plaintiff seeks monetary relief of \$100,000 or less and non-monetary relief.

V. PARTIES

6. Plaintiff David Barlow is a resident of Brazoria County, Texas.

7. Defendant The Travelers Indemnity Company is a Connecticut corporation which regularly conducts business in Brazoria County, Texas. Defendant may be served with process by serving its registered agent, Corporation Service Company, at 211 East 7th Street, Suite 620, Austin, Texas 78701-3218.

VI. FACTS

8. In February 2013, The Kroger Co. ("Kroger") and Quickway Logistics, Inc. entered into a contract for the transportation of cargo. Quickway, as the broker, agreed to perform this task through the use of qualified carriers and agreed to procure and maintain at its sole cost and expense a host of insurance policies covering their obligations under the contract. The same contract required the qualified carrier to procure and maintain, specifically, workers' compensation insurance for its employees including a waiver of subrogation in favor of Kroger.

9. Quickway Logistics, Inc. utilized Quickway Transportation Inc., a qualified carrier, to fulfill the obligations of the contract. Quickway Transportation, in accordance with the contract, then procured workers' compensation insurance from Defendant including the subrogation waiver in favor of Kroger.

10. On January 1, 2014, Plaintiff was employed by Quickway Transportation delivering dairy products to various Kroger stores in Pearland, Texas. Kroger employees would generally provide assistance unloading dairy materials from Plaintiff's truck. Plaintiff was injured while unloading a truck and filed suit against Kroger alleging that Kroger was negligent for failing to assist Plaintiff. That lawsuit was styled, *David Barlow v. The Kroger Co.*, cause no. 3:15-cv-00205, pending in the United States District Court for the Southern District of Texas, Galveston Division. The parties to that case recently reached a confidential settlement.

11. Plaintiff also filed a claim for workers' compensation benefits and Travelers provided worker's compensation benefits to Plaintiff. Now, Travelers is refusing to acknowledge and honor the waiver of the rights to subrogation and future credits. For this reason, Plaintiff seeks a declaratory judgment regarding the validity of the contractual waiver of subrogation pursuant to TEX. CIV. PRAC. & REM. CODE ANN. §37.004(a).

VII. CAUSES OF ACTION

A. Declaratory Relief

12. Plaintiff repeats and realleges each allegation contained above.

13. In accordance with Texas statutory and common law, including but not limited to, the Uniform Declaratory Judgment Act, TEX. CIV. PRAC. & REM. CODE ANN. §§ 37 et seq. Plaintiff request declaratory relief for the purpose to settle uncertainty with respect to Plaintiff's and Defendant's rights.

14. Plaintiff seeks a declaratory ruling that Defendant's subrogation rights have been waived per the unambiguous language of the governing contracts and to declare any liens asserted in contrast with those declared rights to be invalid and void.

B. Attorneys' Fees

15. Plaintiff repeats and realleges each allegation contained above.

16. Plaintiff seeks their reasonable and necessary attorneys' fees in connection with this declaratory judgment action, in accordance with the Uniform Declaratory Judgment Act, TEX. CIV. PRAC. & REM. CODE ANN. § 37.009.

**VIII.
RULE 193.7 NOTICE**

17. Pursuant to Rule 193.7 of the Texas Rules of Civil Procedure, Plaintiff hereby gives actual notice to Defendant that any and all documents produced may be used against the Defendant at any pre-trial proceeding and/or at the trial of this matter without the necessity of authenticating the document.

**IX.
REQUEST FOR DISCLOSURE AND DISCOVERY TO DEFENDANT**

18. Plaintiff refers Defendant to the attached Requests for Production and Request for Disclosures, and notifies you that a response is required within fifty (50) days of service of these requests. *See* Exhibit A.

**X.
PRAYER**

19. Plaintiff prays for relief and that this Court:

- i. Render judgment declaring that Defendant has no right to subrogation per the governing contracts;

- ii. Render judgment declaring that any liens asserted by Defendant in contrast to those declared rights are invalid and void;
- iii. Render judgment that Defendant is not entitled to any credit or holiday on future benefits;
- iv. Render judgment granting Plaintiff their reasonably and necessary attorneys' fees in connection with the declaratory judgment action; and
- v. Such other and further relief that the Court may deem just and proper.

**XI.
JURY TRIAL DEMAND**

20. Plaintiff hereby demands a jury trial.

Respectfully submitted,

PIERCE SKRABANEK, PLLC

/s/ Michael E. Pierce

MICHAEL E. PIERCE
State Bar No. 24039117
JAMES P. LAMEY
State Bar No. 24094072
3701 Kirby Drive, Suite 760
Houston, Texas 77098
Telephone: (832) 690-7000
Facsimile: (832) 616-5576
E-mail: michael@pstrialaw.com
james@pstrialaw.com
E-service: service@pstrialaw.com

ATTORNEYS FOR PLAINTIFF

EXHIBIT A

CAUSE NO. _____

DAVID BARLOW,

PLAINTIFF,

v.

THE TRAVELERS COMPANIES, INC.,

DEFENDANT.

§
§
§
§
§
§
§
§
§

IN THE DISTRICT COURT OF

BRAZORIA COUNTY, TEXAS

_____ JUDICIAL DISTRICT

**PLAINTIFF'S REQUEST FOR PRODUCTION AND REQUEST FOR DISCLOSURE
TO DEFENDANT**

To: Defendant The Travelers Indemnity Company, by and through its registered agent, Corporation Service Company, at 211 East 7th Street, Suite 620, Austin, Texas 78701-3218.

Plaintiff, in accordance with the provisions of the Texas Rules of Civil Procedure, propounds the following Request for Production and Request for Disclosure to Defendant and requests that these requests be answered separately and fully in writing, under oath, and served upon the undersigned attorney within fifty (50) days after service hereof.

Please note that, in accordance with Rule 193.5 of the Texas Rules of Civil Procedure, you have a duty to supplement your response if you obtain information upon the basis of which you know that the response was incorrect or incomplete when made or you know that the response, though correct and complete when made, is no longer true and complete and the circumstances are such that failure to amend the answer is in substance misleading.

Respectfully submitted,

PIERCE SKRABANEK, PLLC

/s/ Michael E. Pierce

MICHAEL E. PIERCE
State Bar No. 24039117
JAMES P. LAMEY
State Bar No. 24094072
3701 Kirby Drive, Suite 760
Houston, Texas 77098
Telephone: (832) 690-7000
Facsimile: (832) 616-5576
E-mail: michael@pstriallaw.com
james@pstriallaw.com
E-service: service@pstriallaw.com

ATTORNEYS FOR PLAINTIFF

I.

INSTRUCTIONS AND DEFINITIONS

1. When answering these requests, respondent is requested to refer to the attached instructions and definitions.
2. All information responsive to these requests which is within your knowledge, possession or control or within the knowledge, possession or control of your attorneys, agents or other representatives, as well as information you can obtain upon reasonable inquiry is to be divulged. If there is a request for all information on a given subject and you do not know all information, provide such information to the extent of your knowledge.
3. All responses must be made separately and fully. An incomplete or evasive response will be considered a failure to answer. Where necessary to give a broader scope to any of these requests, "and" includes "or" and vice versa, the past tense includes the present and vice versa, the singular includes the plural and vice versa, "any" includes "all" and vice versa, and "each" includes "every" and vice versa. The singular form of a noun or pronoun shall be considered to include within its meaning the plural form of the noun or pronoun so used, and vice-versa; the use of the masculine form of a pronoun shall also be considered to include within its meaning the feminine form of the pronoun so used, and vice-versa; and the use of any tense of any verb shall also be considered to include within its meaning all other tenses of the verb so used.
4. Each request should be construed independently and not by reference to any other request herein for purposes of limitation, unless one request specifically refers to another request.
5. The TEXAS RULES OF CIVIL PROCEDURE require you to supplement and amend your responses if you obtain information and as a consequence: (1) you know that a response to these requests was incorrect or incomplete when made, or (2) you know that a response, though correct and complete when made, is no longer true and complete.
6. If you do not answer a request based on any claim of privilege, provide a statement for each such request setting forth the following information:
 - (i) A short statement identifying each privilege involving the basis therefore;
 - (ii) The facts upon which you relied to support the claim of privilege;
 - (iii) A description of all documents for which such privilege is claimed, including:
 - a. the type of document;
 - b. a brief statement of the document's general topic matter;
 - c. the date of the document;
 - d. author(s) and their title(s) and position(s); and

- e. the identity of all persons to whom any contents of the documents have been disclosed.
 - (iv) A description of all conversations for which such privilege is claimed, including:
 - a. the date of the conversation;
 - b. a brief statement describing the general topic of the conversation;
 - c. the persons participating in the conversation; and
 - d. the identity of all persons to whom any portions of the contents of the conversation have been disclosed.
- 7. As required by the TEXAS RULES OF CIVIL PROCEDURE, your failure to respond to these requests within the time required, or failure to supplement your responses may result in entry of a judgment against you, the assessment of attorney's fees against you, or other sanctions of the Court.
- 8. "Document" and "documents" is to be defined as synonymous in meaning and equal in scope to the usage of this term in the TEXAS RULES OF CIVIL PROCEDURE and shall be used in their broadest sense and shall mean and include all written, printed, typed, electronic, recorded or graphic material of every kind and description, both originals and copies and all attachments and appendices thereto. Without limiting the foregoing, the term "document" and "documents" shall include all agreements, contracts, communications, correspondence, letters, telegrams, facsimiles, telexes, minutes, messages, memoranda, interoffice communication, e-mail, records, reports, books, summaries or other records of telephone conversations or interviews, summaries or other records of personal conversations, summaries or other records of negotiations, other summaries, diaries, diary entries, calendars, appointment books, time records, instructions, work assignments, visitor records, forecasts, statistical data, statistical statements, financial statements, work sheets, work papers, drafts, graphs, maps, charts, tables, accounts, analytical records, consultants' reports, appraisals, bulletins, brochures, pamphlets, circulars, trade letters, press releases, notes, notices, marginal notations, notebooks, telephone bill or records, bills, statements, records of obligation and expenditure, invoices, lists, journals, advertising, recommendations, files, printouts, compilations, tabulations, purchase orders, receipts, sell orders, confirmations, checks, canceled checks, letters of credit, envelopes or folders or similar containers, vouchers, analyses, studies, surveys, transcripts of hearings, transcripts of testimony, expense reports, microfilm, microfiche, articles, speeches, tape or disc recordings, sound recordings, video recordings, film, photographs, punch cards, programs, data compilations from which information can be obtained (including matter used in data processing), and other printed, written, handwritten, typewritten, recorded, stenographic, computer-generated, computer-stored, or electronically stored matter, however and by whomever produced, prepared, reproduced, disseminated, or made. The terms "document" and "documents" shall include all copies of documents by whatever means made, except that where a document is identified or produced, identical copies thereof which do not contain any markings, additions, or deletions different from the original

need not be separately produced. A DRAFT OR NON-IDENTICAL COPY IS A SEPARATE DOCUMENT WITHIN THE MEANING OF THIS TERM.

Electronic Data Directive: Pursuant to the TEXAS RULES OF CIVIL PROCEDURE, all electronic data responsive to the requests below shall be provided via CD, DVD, or Floppy Disk in user readable format (.txt or similar file types), or as otherwise agreed in a supplemental writing by the parties.

9. "Document" and "documents" shall mean and include all matter within the foregoing description that are in your possession, control or custody or in the possession, control or custody of any attorney for you or the existence of which you are aware and that you have access to or to which you can secure access. Without limiting the term "control," a document is deemed to be within your control if you have ownership, possession or custody of the document, or the right to secure the document or copy thereof from any person or public or private entity having physical possession thereof.
10. "Communication" shall mean and include any transmission or exchange of information in the form of facts, ideas, inquiries, or otherwise, and shall include an exchange between two or more persons, whether orally or in writing, including without limitation any conversation or discussion face-to-face or by means of letter, note, memorandum, telephone, telegraph, telex, telecopier, cable, e-mail or some other electronic or other medium, and whether by chance or prearranged, formal or informal.
11. "Referring" or "relating to" shall mean to concern, describe, explain, reference, contain or comment upon the subject matter referred to in the request and, in that regard, each request shall be interpreted broadly so as to promote the full disclosure of information.
12. "Person" shall mean all natural persons and entities, including, without limitation, individuals, committees, agencies, commissions, firms, corporations, associations, partnerships, businesses, public agencies, departments, bureaus, boards, or any other form of public, private or legal entity, and all predecessors or successors in interest.
13. "Identify" or "identification" shall mean:
 - (a) With respect to a **natural person**, to include, without limitation, full name, title, job description, present business and home addresses (last known if present addresses are unknown). If there have been changes in title or job description during the time period covered by these interrogatories, all titles and job descriptions should be given, together with the period during which each one was held;
 - (b) With respect to a **communication**, to include, without limitation, the date, time and approximate duration of the communication, a statement describing the substance of the communication with particularity, the persons participating in the conversation, the persons directing the communication to take place, if any, and

the identity of all persons to whom any portions of the contents of the communication have been disclosed.

- (c) With respect to a **business entity**, to include, without limitation, its name, date and place of formation, and all its business addresses; and
 - (d) With respect to a **document**, to include, without limitation, title, type, date, the identity of each person either wholly or in part participating in the preparation or dissemination of, or who is referred to in, the document, addressee, recipients, any identifying numbers or marks upon the face of the document, subject matter or general nature, and the identity and location of each person who has possession, custody or control of the document or, if a document has been destroyed or is unavailable, the identity of each person who destroy the document or who last possessed or controlled the document.
 - (e) When used with reference to an **act**, means, without limitation, to state with particularity and certainty each and every item of behavior, communication and/or tangible thing which constitutes the act, including the place, time and date of each such item; to identify each and every person participating in the act and to specify the items of behavior performed, information communicated, and/or tangible things provided, by each such person; and to identify each and every document and communication which constitutes or describes the behavior, communication, tangible thing, or any part thereof.
 - (f) When used in reference to an **omission to act**, means, without limitation, to state with particularity and certainty each and every item of behavior, communication, and/or tangible thing which you contend should have been performed, communicated, and/or provided, and the place, time, and date each such performance or communication should have occurred, to identify each and every natural person who, by reason of knowledge or particular circumstances, you contend should have performed, communicated, and/or provided each item of omitted behavior, communication and/or tangible thing; and to identify each and every document or communication which you believe tends to establish that the omitted behavior, communication and/or tangible thing should have been performed, provided, or communicated.
 - (g) When used in reference to a **lawsuit**, means, without limitation, to state for each criminal and/or civil action: the case, including the cause number, court, and parties; your status as either plaintiff, Defendants, intervenor, impleader, interpleader, or third-party plaintiff or Defendants; the substance of the claim[s] and defense[s] asserted; and the ultimate disposition or resolution of the claim[s] and defense[s].
14. "Petition" means Plaintiff's Original Petition in this case or any supplemental or amended Petitions subsequently filed in this lawsuit.

15. "You," "Your," Defendant" or "Defendants" means The Travelers Indemnity Company, and each of your agents, representatives, employees, assigns, officers, directors, staff, affiliates, owned or controlled entities or agencies, and all other persons acting in concert with you or under your control, whether directly or indirectly, including any attorney. Where the answers called for are different for any of the foregoing, state which portion of which answer applies to each.
16. "Plaintiff" shall mean David Barlow.

II.

REQUESTS FOR PRODUCTION

1. Produce the complete insurance policy, including all endorsements and waivers, applicable to the worker's compensation claim brought by David Barlow in connection with the injury he sustained in January 2014 while working for Quikway Logistics, Inc. or Quikway Transportation, Inc.

RESPONSE:

2. Produce your complete claims file related to the worker's compensation claim brought by David Barlow in connection with the injury he sustained in January 2014 while working for Quikway Logistics, Inc. or Quikway Transportation, Inc.

RESPONSE:

III.

REQUESTS FOR DISCLOSURE

- (a) The correct names of the parties to the lawsuit;
- (b) The name, address, and telephone number of any potential parties;
- (c) The legal theories and, in general, the factual basis of your claims or defenses;
- (d) The amount and any method of calculating economic damages;
- (e) The name, address, and telephone number of persons having knowledge of relevant facts, and a brief statement of each identified person's connection with the case;
- (f) For any testifying expert
 - (1) The expert's name, address, and telephone number;
 - (2) The subject matter on which the expert will testify;
 - (3) The general substance of the expert's mental impressions and opinions and a brief summary of the basis for them, or if the expert is not retained

by you, employed by you, or otherwise subject to your control, documents reflecting such information;

- (4) If the expert is retained by you, employed by you, or otherwise subject to your control:
 - (A) All documents, tangible items, reports, models, or data compilations that have been provided to, reviewed by, or prepared by or for the expert in anticipation of the expert's testimony; and
 - (B) The expert's current resume and bibliography;
- (g) Any discoverable indemnity and insuring agreements described in Rule 192.3(f);
- (h) Any discoverable settlement agreements described in Rule 192.3(g);
- (i) Any witness statements described in Rule 192.3(h);
- (j) All medical records and bills that are reasonably related to the injuries or damages asserted or, in lieu thereof, an authorization permitting the disclosure of such medical records and bills;
- (k) All medical records and bills obtained by the responding party by virtue of an authorization furnished by the requesting party; and
- (l) The name, address, and telephone number of any person who may be designated as a responsible third party.



CIVIL CASE INFORMATION SHEET (REV. 2/13)

93096-CV

CAUSE NUMBER (FOR CLERK USE ONLY):

COURT (FOR CLERK USE ONLY):

STYLED David Barlow v. The Travelers Companies, Inc.

(e.g., John Smith v. All American Insurance Co.; In re Mary Ann Jones; In the Matter of the Estate of George Jackson)

A civil case information sheet must be completed and submitted when an original petition or application is filed to initiate a new civil, family law, probate, or mental health case or when a post-judgment petition for modification or motion for enforcement is filed in a family law case. The information should be the best available at the time of filing.

1. Contact information for person completing case information sheet: Name: Michael E. Pierce Email: michael@psttriallaw.com Address: 3701 Kirby Drive, Suite 760 Telephone: 832-690-7000 City/State/Zip: Houston, TX 77098 Fax: 832-616-5576 Signature: /s/Michael E. Pierce State Bar No: 24039117		Names of parties in case: Plaintiff(s)/Petitioner(s): David Barlow Defendant(s)/Respondent(s): The Travelers Companies, Inc. Additional Parties in Child Support Case: Custodial Parent: Non-Custodial Parent: Presumed Father:		Person or entity completing sheet is: <input checked="" type="checkbox"/> Attorney for Plaintiff/Petitioner <input type="checkbox"/> Pro Se Plaintiff/Petitioner <input type="checkbox"/> Title IV-D Agency <input type="checkbox"/> Other:
2. Indicate case type, or identify the most important issue in the case (select only 1):				
Civil Contract Debt/Contract <input type="checkbox"/> Consumer-DTPA <input type="checkbox"/> Debt Contract <input type="checkbox"/> Fraud/Misrepresentation <input checked="" type="checkbox"/> Other Debt Contract: Foreclosure <input type="checkbox"/> Home Equity—Expedited <input type="checkbox"/> Other Foreclosure <input type="checkbox"/> Franchise <input type="checkbox"/> Insurance <input type="checkbox"/> Landlord/Tenant <input type="checkbox"/> Non-Competition <input type="checkbox"/> Partnership <input type="checkbox"/> Other Contract: Injury or Damage <input type="checkbox"/> Assault/Battery <input type="checkbox"/> Construction <input type="checkbox"/> Defamation Malpractice <input type="checkbox"/> Accounting <input type="checkbox"/> Legal <input type="checkbox"/> Medical <input type="checkbox"/> Other Professional Liability: <input type="checkbox"/> Motor Vehicle Accident <input type="checkbox"/> Premises Product Liability <input type="checkbox"/> Asbestos/Silica <input type="checkbox"/> Other Product Liability List Product: <input type="checkbox"/> Other Injury or Damage:		Real Property <input type="checkbox"/> Eminent Domain/Condemnation <input type="checkbox"/> Partition <input type="checkbox"/> Quiet Title <input type="checkbox"/> Trespass to Try Title <input type="checkbox"/> Other Property: Related to Criminal Matters <input type="checkbox"/> Expunction <input type="checkbox"/> Judgment Nisi <input type="checkbox"/> Non-Disclosure <input type="checkbox"/> Seizure/Forfeiture <input type="checkbox"/> Writ of Habeas Corpus—Pre-indictment <input type="checkbox"/> Other:		
Employment <input type="checkbox"/> Discrimination <input type="checkbox"/> Retaliation <input type="checkbox"/> Termination <input type="checkbox"/> Workers' Compensation <input type="checkbox"/> Other Employment:		Other Civil <input type="checkbox"/> Administrative Appeal <input type="checkbox"/> Antitrust/Unfair Competition <input type="checkbox"/> Code Violations <input type="checkbox"/> Foreign Judgment <input type="checkbox"/> Intellectual Property <input type="checkbox"/> Lawyer Discipline <input type="checkbox"/> Perpetuate Testimony <input type="checkbox"/> Securities/Stock <input type="checkbox"/> Tortious Interference <input type="checkbox"/> Other:		
Tax <input type="checkbox"/> Tax Appraisal <input type="checkbox"/> Tax Delinquency <input type="checkbox"/> Other Tax		Probate & Mental Health Probate/Wills/Intestate Administration <input type="checkbox"/> Dependent Administration <input type="checkbox"/> Independent Administration <input type="checkbox"/> Other Estate Proceedings <input type="checkbox"/> Guardianship—Adult <input type="checkbox"/> Guardianship—Minor <input type="checkbox"/> Mental Health <input type="checkbox"/> Other:		
3. Indicate procedure or remedy, if applicable (may select more than 1):				
<input type="checkbox"/> Appeal from Municipal or Justice Court <input type="checkbox"/> Arbitration-related <input type="checkbox"/> Attachment <input type="checkbox"/> Bill of Review <input type="checkbox"/> Certiorari <input type="checkbox"/> Class Action		<input type="checkbox"/> Declaratory Judgment <input type="checkbox"/> Garnishment <input type="checkbox"/> Interpleader <input type="checkbox"/> License <input type="checkbox"/> Mandamus <input type="checkbox"/> Post-judgment		
<input type="checkbox"/> Prejudgment Remedy <input type="checkbox"/> Protective Order <input type="checkbox"/> Receiver <input type="checkbox"/> Sequestration <input type="checkbox"/> Temporary Restraining Order/Injunction <input type="checkbox"/> Turnover				
4. Indicate damages sought (do not select if it is a family law case): <input type="checkbox"/> Less than \$100,000, including damages of any kind, pecuniary, costs, expenses, pre-judgment interest, and attorney fees. <input checked="" type="checkbox"/> Less than \$100,000 and non-monetary relief <input type="checkbox"/> Over \$100,000 but not more than \$200,000 <input type="checkbox"/> Over \$200,000 but not more than \$1,000,000 <input type="checkbox"/> Over \$1,000,000				

**BRAZORIA COUNTY DISTRICT CLERK
RHONDA BARCHAK**

Filed for Record
8/18/2017 2:56 PM
Rhonda Barchak, District Clerk
Brazoria County, Texas
93096-CV
Aimee Howell, Deputy

Process Request

Please Print All Information Clearly & Neatly

Cause No. 93096-CV For each party served you must furnish 1 copy of the document(s).

DOCUMENT(S) TO BE SERVED Plaintiff's Original Petition and First Set of Discovery

Name/Business to be Served:

1. Name The Travelers Indemnity Company
Registered Agent (if applicable) Corporation Service Company
Address 211 East 7th Street, Suite 620
City, State, Zip Austin, TX 78701-3218
2. Name _____
Registered Agent (if applicable) _____
Address _____
City, State, Zip _____

Service By (check one)

- ☐ Sheriff
☐ Certified Mail
☐ Pickup by whom: _____
☒ Return by mail to: Pierce Skrabanek, PLLC, 3701 Kirby Dr., Suite 760, Houston, TX 77098
☐ Citation by Publication (**Please fill out the box below**)
☐ Citation by Posting at Courthouse Door (**Please fill out the box below**)

☐ Divorce/Family Citation with or without Children

Name and Address of Publication: _____

Relief Request Required: _____

Date of Birth/Place of Birth for Each Child Required: _____

☐ Civil

****As per TRCP 115, attach legal description of property if applicable and state relief requested**

Name and Address of Publication: _____

Relief Request Required: _____

Property Description: _____

Notes: _____

Service Requested by:

Name Michael E. Pierce Michael Pierce
Printed name Signature
Phone No. 832-690-7000 Email michael@pstriallaw.com